

P20637.P07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Keiko TSUGANEZAWA

Serial No : 09/744,989
(National Stage of PCT/JP99/04479)

I.A. Filed : August 20, 1999

For : EPIMORPHIN OF THE ORDER ARTIODACTYLA

COVER LETTERCommissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed April 2, 2001 which sets a two month period of response until June 4, 2001 (being that June 2, 2001 falls on a Saturday),

Applicant hereby submits:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing

Under 35 U.S.C. 371;

- an executed Declaration and Power of Attorney;
- a Supplemental Preliminary Amendment;
- a Cover Letter Accompanying Sequence Listing and Statement that the Content of the

Paper and Computer Readable Copies are the Same;

- Copies of Paper and Computer Readable Forms of Sequence Listings; and

- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,
Keiko TSUGANEZAWA

Steven J. Helmer
Reg. No. 40,475

Bruce H. Bernstein
Reg. No. 29,027

May 4, 2001
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke
Reston, VA 20191
(703) 716-1191

Form PTO-1390
P20637.P06U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P20637

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
09/744,989

INTERNATIONAL APPLICATION NO.

PCT/JP99/04479

INTERNATIONAL FILING DATE

20 August 1999

PRIORITY DATE CLAIMED

20 August 1998

TITLE OF INVENTION

EPIMORPHIN OF THE ORDER ARTIODACTYLA

APPLICANT(S) FOR DO/EO/US

Keiko TSUGANEZAWA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
"EXECUTED"
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. Assignee: Sumitomo Electric Industries, Ltd., of Osaka, JAPAN
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☐ A FIRST preliminary amendment.
☒ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ Figure of Drawing to be published _____
18. ☒ Other items or information:
Cover Letter.
Cover Letter Accompanying Sequence Listing and Statement that the Content of the Paper and Computer Readable Copies are the Same.
Paper and Computer Readable Forms of Sequence Listings.
Copies of Form PCT/DO/EO/905 and Form PCT/DO/EO/920.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/744,989		INTERNATIONAL APPLICATION NO. PCT/JP99/04479		ATTORNEY'S DOCKET NUMBER P20637	
19. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JPO. \$ 860.00 International preliminary examination fee paid to USPTO (37 CFR 1.482). \$ 690.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO(37 CFR 1.445(a)(2)). \$ 710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO. \$1,000.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). \$ 100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <u> 20 </u> <input checked="" type="checkbox"/> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	RATE	\$ 0.00	
Total Claims	11 - 20 =	0	X \$18.00	\$ 0.00	
Independent Claims	6 - 6 =	0	X \$80.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<u> </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				130.00	
Processing fee of \$130.00 for furnishing the English translation later than <u> 20 </u> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(f)).				+	0.00
Extension of Time fee in the amount of \$					0.00
TOTAL NATIONAL FEE =				130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	0.00
TOTAL FEES ENCLOSED =				130.00	
05/08/2001 LLANDGRA 00000026 09744989				Amount to be refunded	\$
01 FC:154 130.00 OP				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$130.00</u> to cover the above fees is enclosed. b. <u> </u> Please charge my Deposit Account No. <u> </u> in the amount of \$ <u> </u> to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u> . NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF: Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1941 Roland Clarke Place Reston, VA 20191 (703) 716-1191					
				SIGNATURE <u>Bruce H. Bernstein</u> NAME <u>29.027</u> REGISTRATION NUMBER	



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744989	TSUGANEZAWA	K P20637
INTERNATIONAL APPLICATION NO.		

GREENBLUM & BERNSTEIN
1941 ROLAND CLARKE PLACE
RESTON, VA 20191

RECEIVED

APR 03 2001

GREENBLUM & BERNSTEIN, P.L.C.

PCT/JP99/04479

I.A. FILING DATE	PRIORITY DATE
20 AUG 99	20 AUG 98

DATE MAILED:

02 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventor(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input checked="" type="checkbox"/> Other: RO 101, IB 301,304, 308, 331, 332, IPEA 408, SEQUENCE LISTING, CLAIM OF PRIORITY, ISA/210-REFERENCES, PREL AMENDMENT |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ PCT/DO/EO/920

Christine S. Washington

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3752



UNITED STATES PATENT AND TRADEMARK OFFICE

7 MAY 2001

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744989	TSUGANEZAWA	K P20637
INTERNATIONAL APPLICATION NO.		
PCT/JP99/04479		
I.A. FILING DATE	PRIORITY DATE	
20 AUG 99	20 AUG 98	

GREENBLUM & BERNSTEIN
1941 ROLAND CLARKE PLACE
RESTON, VA 20191

DATE MAILED: 02 APR 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Christine S. Washington
Telephone: 703-305-3752